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Attorneys for Plaintiff  
UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. CR 2:24-621 (B) -MWF

Plaintiff,

v.

DURK BANKS, et al.: 1

GOVERNMENT'S EX PARTE APPLICATION  
FOR ORDER SEALING DOCUMENTS;  
MEMORANDUM OF POINTS AND  
AUTHORITIES; DECLARATION OF DANIEL  
H. WEINER

## Defendants.

Plaintiff United States of America hereby applies ex parte for an order directing that the government's Exhibits 1-6 in Opposition to Defendant Banks' Motion to Dismiss for Vagueness or in the Alternative for a Bill of Particulars in the above-entitled case be kept under seal until further order of the Court.

This ex parte application is based upon the attached memorandum of points and authorities and Declaration of Daniel H. Weiner.

Dated: November 14, 2025

Respectfully submitted,

BILAL A. ESSAYLI  
First Assistant United States  
Attorney

ALEXANDER B. SCHWAB  
Assistant United States Attorney  
Acting Chief, Criminal Division

/s/  
IAN V. YANNIELLO  
GREGORY W. STAPLES  
DANIEL H. WEINER  
Assistant United States Attorneys

Attorneys for Plaintiff  
UNITED STATES OF AMERICA

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 Plaintiff United States of America requests that this Court seal  
3 the government's Exhibits 1-6 in Opposition to Defendant Banks'  
4 Motion to Dismiss for Vagueness or in the Alternative for a Bill of  
5 Particulars.

6 The Court has inherent supervisory authority to seal documents  
7 in appropriate circumstances. See Nixon v. Warner Communications,  
8 Inc., 435 U.S. 589, 598 (1978) ("Every court has supervisory power  
9 over its own records and files . . . .").

10 Here, for the reasons described in the attached declaration,  
11 sealing of these documents is necessary to protect the identity of  
12 witnesses who participated in the government's investigation, who may  
13 testify at trial, and/or whose safety or whose family's safety may be  
14 endangered by disclosure of identifying information.

15 The government accordingly requests that the documents be  
16 maintained under seal until further order of the Court.

17 Dated: November 14, 2025

18 Respectfully submitted,

19 BILAL A. ESSAYLI  
First Assistant United States  
20 Attorney

21 ALEXANDER B. SCHWAB  
Assistant United States Attorney  
22 Acting Chief, Criminal Division

23 /s/  
IAN V. YANNIELLO  
GREGORY W. STAPLES  
DANIEL H. WEINER  
24 Assistant United States Attorneys

25 Attorneys for Plaintiff  
26 UNITED STATES OF AMERICA

**DECLARATION OF DANIEL H. WEINER**

I, Daniel H. Weiner, declare as follows:

1. I am an Assistant United States Attorney for the Central District of California and I am one the attorneys assigned to the prosecution of United States v. Durk Banks, et al., No. CR 24-621(B)-MWF. I make this declaration in support of the government's ex parte application for an order sealing the government's Exhibits 1-6 in Opposition to Defendant Banks' Motion to Dismiss for Vagueness or in the Alternative for a Bill of Particulars.

2. The government requests leave to file these documents under seal. The above-described documents discuss and/or contain identifying information of witnesses who participated in the government's investigation, who may testify at trial, and/or whose safety or whose family's safety may be endangered by disclosure of identifying information. Sealing of the documents is therefore desirable because the government believes that public disclosure of such information may endanger the witnesses and/or their family's safety, and could cause others to attempt to intimidate the witnesses and/or their family, or otherwise dissuade the witnesses from cooperating with the government.

3. Accordingly, the government requests that the documents be kept under seal until further order of the Court.

4. Counsel for defendants have advised the government that they had no objection to the government's request to file such documents under seal. Counsel for defendant Banks objects to the government being permitted to supplement the record after briefing has been completed.

1 I declare under penalty of perjury under the laws of the United  
2 States of America that the foregoing is true and correct to the best  
3 of my knowledge and belief and that this declaration was executed on  
4 November 14, 2025, at Los Angeles, California.

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7 */s/ Daniel H. Weiner*  
8 DANIEL H. WEINER  
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